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3 4 5 6	(By Delegates Cowles, Stowers, J. Miller, C. Miller, Phillips, Lawrence, Mahan, Hatfield and Hall)
7	[Introduced January 12, 2011; referred to the
8	Committee on the Judiciary.]
9	
10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §49-2-12a, relating
12	to establishing a bill of rights for children in foster care.
13	Be it enacted by the Legislature of West Virginia:
14	That the Code of West Virginia, 1931, as amended, be amended
15	by adding thereto a new section, designated §49-2-12a, to read as
16	follows:
17	ARTICLE 2. STATE RESPONSIBILITIES FOR THE PROTECTION AND CARE OF
18	CHILDREN.
19	§49-2-12a. Foster child's bill of rights.
20	(a) Every child in foster care has the inherent right to be
	cherished by a family of his or her own, either his or her family
<i>_</i>	helped by readily available services and support to resume his or
23	her care, or an adoptive family or, by plan, a continuing foster
24	<pre>family.</pre>
25	(b) Every child in foster care has the inherent right to be

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- 1 nurtured by foster parents who have been selected to meet his or
- 2 her individual needs, and who are provided services and support,
- 3 including specialized education, so that the child can grow in its
- 4 ability to enable the child to reach his or her potentiality.
- 5 (c) Every child in foster care has the inherent right to
- 6 receive sensitive, continuing help in understanding and accepting
- 7 the reasons for the child's own family's inability to take care of
- 8 him or her, and in developing confidence in his or her own self
- 9 worth.
- 10 (d) Every child in foster care has the inherent right to
- 11 receive continuing loving care and respect as a unique human being.
- 12 (e) Every child in foster care has the inherent right to be a
- 13 child growing in trust in himself, herself and others.
- 14 (f) Every child in foster care has the inherent right to grow
- 15 up in freedom and dignity in a neighborhood of people who accept
- 16 him or her with understanding, respect and friendship.
- 17 (g) Every child in foster care has the inherent right to
- 18 receive help in overcoming deprivation or whatever distortion in
- 19 his or her emotional, physical, intellectual, social and spiritual
- 20 growth may have resulted from his or her early experiences.
- 21 (h) Every child in foster care has the inherent right to
- 22 receive education, training and career guidance to prepare for a
- 23 useful and satisfying life.
- 24 (i) Every child in foster care has the inherent right to

- 1 receive preparation for citizenship and parenthood through
- 2 interaction with foster parents and other adults who are consistent
- 3 role models.
- 4 (j) Every child in foster care has the inherent right to be
- 5 represented by an attorney-at-law in administrative or judicial
- 6 proceedings with access to fair hearings and court review of
- 7 <u>decisions</u>, so that his or her best interests are safeguarded.
- 8 (k) Every child in foster care has the inherent right to
- 9 receive a high quality of child welfare services, including
- 10 involvement of the natural parents, where appropriate, and his or
- 11 her own involvement in major decisions that affect his or her
- 12 life.

NOTE: The purpose of this bill is to establish a bill of rights for children in foster care.

§49-2-12a is new; therefore it has been completely underscored.